

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

In re:)	Bankr. No. 13-40290
)	Chapter 7
SHARON L. CRICHTON)	
SSN/ITIN xxx-xx-0237)	
)	OBJECTION TO DEBTOR'S
Debtor.)	AMENDED SCHEDULE C
)	AND MOTION FOR TURNOVER

COMES NOW the Chapter 7 Trustee and objects to Debtor's claimed exemptions and, further, moves the Court for an order requiring turnover of property by the Debtor.

1. OBJECTION TO AMENDED SCHEDULE C

Specifically, the Trustee objects on the basis that the Debtor's claimed exempt property under S.D.C.L. § 43-45-4 exceeds the Debtor's exemption limit of \$4,000.00 by \$822.07 based upon the following:

<u>Asset</u>	<u>Amount Exempted</u>
Cash	26.00
Bank Accounts	70.24
Household Goods	1,675.00
Collectibles	235.00
Hobby	25.00
Earned Wages	795.83
Accrued Vacation	1,325.00
Tax Refund	520.00
Dogs	50.00
Other Misc. Personal Property	100.00
Total	\$4,822.07

2. MOTION FOR TURNOVER

Based on the information provided on the Debtor's schedules and testimony at the § 341 meeting, the value of the Debtor's personal property is as follows:

<u>Asset</u>	<u>Trustee Value</u>	<u>Amount Exempted</u>
Cash	26.00	26.00
Bank Accounts	70.24	70.24
Household Goods	1,675.00	1,675.00
Collectibles	235.00	235.00
Hobby	25.00	25.00
Earned Wages	795.83	795.83
Accrued Vacation	1,325.00	1,325.00
Tax Refund	Unknown	520.00
Dogs	50.00	50.00
Other Misc. Personal Property	100.00	100.00
Total	\$4,302.07	\$4,822.07

Debtor has \$822.07 of non-exempt personal property equity in excess of Debtor's personal property exemption limit. Additionally, 141/365ths of Debtor's 2013 federal income tax refund, less the \$520.00 claimed exempt, is property of the bankruptcy estate.

Wherefore, the Trustee would hereby request that the Court sustain the Trustee's objection to Debtor's amended Schedule C, and order the Debtor to turnover to the Trustee \$822.07; the pre-petition amount of Debtor's 2013 federal income tax refund which has not been claimed exempt; and for such other and further relief as is deemed appropriate by the Court under the circumstances.

Dated this 5th day of August, 2013.

FITE, PIERCE & RONNING LAW OFFICE

/s/ Lee Ann Pierce

Chapter 7 Bankruptcy Trustee

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